

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

STATE OF NEW YORK, et al.,

Plaintiffs,

v.

UNITED STATES
DEPARTMENT OF COMMERCE; et
al.,

Defendants.

CIVIL ACTION NO. 1:18-cv-2921 (JMF)

**SUPPLEMENTAL AFFIDAVIT
OF KATHERINE HARVELL
HANEY**

Pursuant to 28 U.S.C. § 1746, I, Katherine Harvell Haney, do hereby depose and state the following:

1. As explained in my October 24 Affidavit, I am the Chief Financial Officer (CFO) at the Massachusetts Executive Office of Health and Human Services (EOHHS). All of the statements made in my October Affidavit and in this Affidavit are made based on my personal knowledge, acquired after years of working in various finance capacities for agencies within Massachusetts. As CFO, I am responsible for understanding and managing the EOHHS budget as a whole. Additionally, my responsibilities include working with EOHHS's various departments to build department budgets based on that department's federal funding as well as any state funding enhancements. Accordingly, my work requires me to keep apprised of federal grant programs that provide money to Massachusetts.

2. As CFO, I support EOHHS's departments in their federal reporting responsibilities. Because I oversee the various departments within EOHHS, I am aware of the

kinds of services that these departments provide to Massachusetts residents as set forth in paragraph 4 of my October 24 Affidavit. As CFO, I am uniquely positioned to have oversight of all fourteen federal funding sources that are predicated in part on decennial census data, though they are received by different departments within EOHHS.

3. As described in my October 24 Affidavit at paragraph 5 and 6, I deal directly with Community Programs on Aging and the Vocational Rehabilitation State Grant (VR grant) as a part of my regular work responsibilities. For the past year I have worked very closely with the Massachusetts Rehabilitation Commission (MRC) whose largest source of funding is the VR grant. In September 2017, the MRC completed a review with the VR federal oversight agency, the Rehabilitation Services Administration. At the time, the MRC did not have a chief financial officer; the position was vacant. The MRC had a limited amount of time to respond to the federal oversight review, and I was tasked with providing extra assistance to the MRC. During my work on the federal oversight response, I learned a great deal on how Massachusetts receives funds via the VR grant formula and the requirements for maintenance of effort and state matching funds.

4. My CFO role requires me to have knowledge of the Community-Based Child Abuse Prevention (CBCAP) Grant described in paragraph 7 of my October 24 Affidavit. As CFO, I have participated in several meetings with staff at the Massachusetts Department of Children. During these meetings, we have discussed the CBCAP grant and the formulas that determine the funding pursuant to that grant program at length.

5. I am also personally familiar with the budget formula for the Older Americans Act (OAA) Grant as set forth in paragraph 8. I previously served as the Budget Director at the

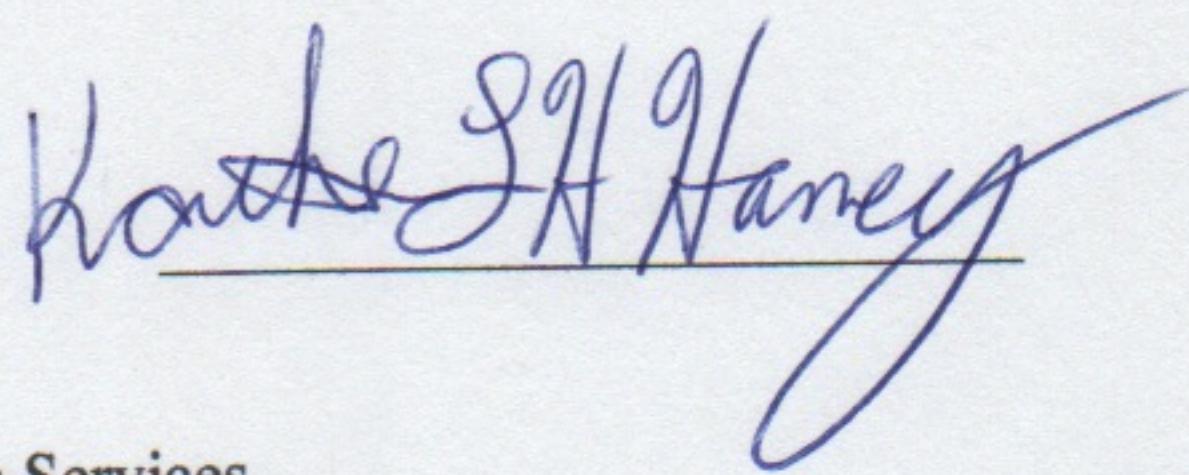
Massachusetts Department of Elder Affairs, which is the direct recipient of the OAA grants. In this role, I dealt with the OAA grants in my daily work, and towards the end of my tenure, I worked on funding models with assumptions on the outcome of the 2010 census for long-term planning purposes.

6. When preparing my October 24 Affidavit, I consulted with contacts at all EOHHS departments to confirm the specific funding amounts received under federal grants that are predicated at least in part on decennial census data. I then confirmed these funding numbers with public records maintained on the website of the Comptroller of the Commonwealth of Massachusetts, <https://www.macomproller.org/>. This website makes state spending and payroll data publicly available. It also publishes state agency financial reports, budgets, and grant data. I specifically verified the grant amounts I discussed in paragraphs 6, 7, and 8 of my October 24 Affidavit on this website.

7. Because of my unique professional position and experience, I have factual knowledge of how these formulas work in Massachusetts as well as financial expertise. During the last dozen years of working in financial capacities in Massachusetts state agencies, I have observed how grant funding for these and other programs changes from year to year. Based on my understanding and experience with the programs that allocate these grant funds and from observing these funding fluctuations, I understand that the programs described in this and my October 24 affidavit rely in part of population figures derived from census data.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on November 3, 2018.



A handwritten signature in blue ink, appearing to read "Katherine H. Haney". The signature is fluid and cursive, with a horizontal line underneath the name.

Katherine Harvell Haney
Chief Financial Officer
Executive Office of Health and Human Services
Commonwealth of Massachusetts